

Before the  
FEDERAL COMMUNICATIONS COMMISSION  
Washington, D.C. 20554

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| In the Matter of                        | ) |                      |
|   | ) |                      |
| Telecommunications Relay Services and   | ) | CC Docket No. 98-67  |
| Speech-to-Speech Services for           | ) |                      |
| Individuals with Hearing and Speech     | ) | CG Docket No. 03-213 |
| Disabilities                            | ) |                      |
|   | ) |                      |
| Americans with Disabilities Act of 1990 | ) |                      |

**AT&T SUPPLEMENTAL REPORT ON TRS WAIVERS**

Pursuant to the Consumer & Governmental Affairs' letter dated October 22, 2004,<sup>1</sup> AT&T Corp. ("AT&T") submits this supplement to its April 16, 2004 annual report regarding progress in providing certain features and functions for Internet Protocol Relay ("IP Relay") and Video Relay Service ("VRS") that are the subject of Commission waivers for Telecommunications Relay Service ("TRS").<sup>2</sup>

Waivers for IP Relay

In its *Second Improved TRS Order*,<sup>3</sup> in recognition of technological impediments to the immediate offering of call release, three-way calling and speed

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<sup>1</sup> See Letter dated October 22, 2004 from Thomas E. Chandler, Chief, Disability Rights Office, Consumer & Governmental Affairs Bureau, to Peter H. Jacoby, Senior Attorney, AT&T Corp. ("*October 22 Letter*"). AT&T's date within which to file this supplement was extended by the staff from December 1 to December 30, 2004.

<sup>2</sup> See AT&T Report on TRS Waivers, filed April 16, 2004 in Telecommunications Relay Services and Speech-to-Speech Services for Individuals with Hearing and Speech Disabilities; Americans with Disabilities Act of 1990, CC Docket No. 98-67 and CG Docket No. 03-213 ("*AT&T April 16 Report*").

<sup>3</sup> See *Telecommunications Relay Services and Speech-to-Speech Services for Individuals with Hearing and Speech Disabilities; Americans with Disabilities Act of 1990*, Second Report and Order, Order on Reconsideration, and Notice of Proposed Rulemaking, CC

dialing features for IP Relay Service, the Commission waived until January 1, 2008 the requirements that TRS providers offer those features. The waivers are subject to periodic reporting by TRS providers regarding technological changes, the progress made, and steps taken to resolve the technological impediments to offering those functions.

AT&T now offers speed dialing capability to users of IP Relay Service and, accordingly, continuation of its waiver for that feature is no longer necessary.

Call release allows a Communications Assistant (“CA”) to set up a TTY-to-TTY call that, once established, does not require the CA to relay the conversation. In the call set-up, the CA first connects the calling party to the called TTY customer through a business or hotel switchboard at the called customer’s end. The call release feature then allows the CA to sign-off or be “released” from the telephone line, without triggering a disconnection between the two TTY users.<sup>4</sup> Providing this capability IP Relay Service requires using incompatible protocols.<sup>5</sup> AT&T is aware of no means that is currently available that would obviate this incompatibility.<sup>6</sup>

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(Footnote continued from preceding page)

Docket No. 98-67 and CG Docket No. 03-213, FCC 03-112 (rel. June 17, 2003) (“*Second Improved TRS Order*”).

<sup>4</sup> See *Second Improved TRS Order*, ¶68.

<sup>5</sup> The “inbound” leg of a call to the provider’s TRS center uses Internet protocol, while the call set-up is accomplished in the first instance through dialing a voice call to the called party’s switchboard, using Signaling System 7 (“SS7”) protocol.

<sup>6</sup> AT&T notes that other IP Relay Service providers have likewise reported to the Commission that current technology does not allow them to remedy this incompatibility between the protocols used by the calling and called parties. See Letter dated December 1, 2004 from Marybeth M. Banks, Sprint, to Marlene Dortch, Secretary, FCC (“*Sprint Supplemental Report*”), Attachment at 1; MCI Supplement to Annual Report on Progress

(Footnote continued on following page)

Three-way calling capability for IP Relay Service can only be supported by AT&T in certain scenarios with current technology.<sup>7</sup> Specifically, as AT&T has demonstrated, three-way calls may be initiated by the calling customer using LEC-provided custom calling service (“CCS”) features or through bridging via the user’s own premises equipment, but AT&T’s TRS centers lack the ability to originate three-way calling without costly and time-consuming additional modifications, including software development.<sup>8</sup> Moreover, AT&T is unable even to prepare software specifications for its vendor to provide those modifications without more definitive guidance from the

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of Meeting Waiver Requirements, filed December 1, 2004 (“*MCI Supplemental Report*”) at 2-3.

Additionally, the *Second Improved TRS Order* (at ¶ 69) indicates that only the minutes of use prior to call release are eligible for reimbursement from the TRS Fund -- despite the fact that the TTY users continue to make use of the relay center’s facilities and that these calls may last for a considerable time. The decision thereby imposes potentially significant uncompensated costs upon TRS providers without adequate justification and further inhibits their incentive and ability to overcome the technological barriers described above for IP Relay Service. For the same reason, the Commission should also clarify the appropriate basis for billing the end users that are parties to a TTY-to-TTY call, following call release by the CA.

<sup>7</sup> See AT&T Petition for Limited Reconsideration and for Waiver, filed Sept. 24, 2003, in *Telecommunications Relay Services and Speech-to-Speech Services for Individuals with Hearing and Speech Disabilities; Americans with Disabilities Act of 1990*, at 7-10; AT&T Reply in *id.*, filed October 30, 2003, at 4-6; AT&T Comments in *id.*, filed December 17, 2004 at 1-5.

<sup>8</sup> Moreover, as shown in AT&T filings cited in n. 7, *supra*, there are also technical impediments to processing a three-way call with more than one TTY user. AT&T notes that other TRS providers have reported the same obstacles to their provision of three-way calling for IP Relay Service. See *Sprint Supplemental Report*, Attachment at 1.

Commission regarding call processing scenarios and billing.<sup>9</sup>

### Waivers for VRS Service

The *Second Improved TRS Order* also granted a waiver for the offering of call release, three-way calling and speed dial features in connection with VRS in light of current technological barriers to providing those capabilities.<sup>10</sup> For the same reason, the Commission in that same order also waived the requirement that TRS providers offer voice carryover (“VCO”)-to-TTY, VCO-to VCO, hearing carryover (“HCO”)-to-TTY and HCO-to HCO features with VRS.<sup>11</sup> These VRS waivers are subject to periodic reporting regarding technological progress towards providing those features.

AT&T provides VRS through using the contracted services of Hands On Video Relay Services, Inc. (“HOVRS”). Pursuant to this service arrangement with HOVRS, AT&T already offers speed dialing capability to VRS users, and continuation of its waiver for that feature thus is no longer necessary.<sup>12</sup>

As shown in the *HOVRS Supplemental Report*,<sup>13</sup> provision of call release capability with VRS is currently infeasible due to a lack of compatibility between video conferencing formats. As HOVRS also shows there, blocking by at least one VRS

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<sup>9</sup> See n. 7, *supra*.

<sup>10</sup> See *Second Improved TRS Order*, ¶ 76.

<sup>11</sup> See *id.*, ¶ 36.

<sup>12</sup> See HOVRS Supplement to Annual Report on Progress of Meeting Waived Requirements, filed December 1, 2004 (“*HOVRS Supplemental Report*”) at 7.

<sup>13</sup> See *id.* at 6-7.

provider of its proprietary hardware and software is a further impediment to offering call release capability for VRS.<sup>14</sup>

As further shown in HOVRS' filing,<sup>15</sup> even with technical modifications to its platform there are operational impediments to successfully offering VCO-to-TTY and HCO-to-TTY calls for VRS customers. Processing these call types would require a video interpreter ("VI") to engage in simultaneous, hand-intensive functions to both sign and type to the parties to the call.<sup>16</sup> VCO-to-VCO and HCO-to-HCO calling with VRS is subject to similar problems where one party to the VRS call uses a TTY, because the VI cannot readily read the signing of, or sign to, one user and concurrently read the typing of, or type to, the TTY user in such calls.<sup>17</sup>

Respectfully submitted,

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<sup>14</sup> See *id.*; see also *Sprint Supplemental Report*, Attachment at 3 stating "it is not technically feasible at this time to provide call release features with VRS calls"; *MCI Supplemental Report* at 2 (referencing HOVRS' findings).

<sup>15</sup> See *HOVRS Supplemental Report* at 8.

<sup>16</sup> Ameliorating this stressful problem for this call type would require, at a minimum, concurrent use of two interpreters: a VI for signing, and a CA for typing

<sup>17</sup> See *id.*